

ELECTION DEPARTMENT MEETING MINUTES

Date and Time: Tuesday, October 5, 2021, 3:00 PM

Place: City Hall, 15 Summer Street
2nd Floor Conference Room

Attendees:

- Dan Barbour
- Jason Roomes
- Frank Biedak
- Carol Welch
- Pamela Menconi
- Jeanette Berrios

The meeting was called to order at 3:00 PM.

COMMUNITY INPUT

None

NEW BUSINESS

Discussion of Open Meeting Law Complaint Filed

The Chairman explained that there was an Open Meeting Law complaint filed and the deadline to respond and reply to the Attorney General's office was October 6, 2021.

Chairman Barbour asked if there were any questions relative to the complaint filed.

Commissioner Biedak asked the Director which communities were surveyed when compiling information for comparative purposes when determining whether or not to utilize Early Voting in person. The Director listed communities such as Quincy, Attleboro, Randolph, Watertown, Lynn, Boston, Somerville, Fall River, Worcester, Framingham, and 5 anonymous submissions to a survey conducted by a member of the Massachusetts Town Clerk's Association.

Commissioner Biedak stated that he felt that the information alleged on the complaint was incorrect based on this data. Commissioner Biedak also stated that it was his opinion that the Director has acted transparent, consistent, and balanced when performing her job duties. So stated for the record.

A motion was made by Commissioner Welch to adopt the recommendation from the Law Department and instruct them to send the response back to the Attorney General and the person who filed the complaint. **So voted unanimously.**

Discuss voter complaints in regard to candidates at polling locations & Discuss candidate protocols at polling stations notifications.

Chairman Barbour stated that both agenda items are tied together and one discussion ensued. Chairman Barbour stated that although Election Day went smoothly in September, there had been some complaints received relative to candidates' behavior at the polling places on Election Day.

Chairman Barbour stated that based on the recommendation of the law office, no specific names or candidates would be mentioned during the discussion.

Chairman Barbour explained that he and the Director discussed a letter of protocol being sent out to candidates outlining acceptable behavior on Election Day for both candidates and for those who represent the candidate. Attached to the letter will be the statutes and guidelines from the State.

Commissioner Biedak inquired how many complaints were received. Chairman Barbour discussed the various complaints received, which included a candidate interacting with voters at polling locations, and a voter appearing to vote wearing a shirt that endorses a specific candidate.

A discussion ensued about what behavior is allowed and not allowed at the polls on Election Day. An additional discussion ensued about protocol for signs.

A motion was made by Commissioner Welch for guidance from the Law Office about where and if signs may be left unattended at polling locations on Election Day. Chairman Barbour stated he would reach out to Attorney Winters relative to this. So voted unanimously.

A small discussion ensued relative to candidates passing out literature on Election Day that may be carried into the voting booth and subsequently left behind. The question was raised as to what the current procedure is for poll workers to scan booths to remove such literature. It was noted that the booths were cleaned regularly due to COVID, but no real policy is in place to check the booths for materials left behind.

A motion was made by Commissioner Biedak to reach out to the Law office look into the definition of “regularly” so that a policy may be put into place. So voted unanimously.

Commissioner Biedak inquired as to the status of the vault. The Director explained that the final measurements have been taken and she was waiting for a final time frame for installation.

The Commissioner mentioned the date of the next meeting date of October 19, which was previously set.

Meeting adjourned at 3:20.

Respectfully submitted,

Carol Welch, Secretary